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Waste Management Unit Owners and Operators
in the Central Valley Region

USE OF THE DEIONIZED WATER WASTE EXTRACTION TEST (DI-WET) FOR HAZARDOUS WASTE DETERMINATIONS

Recent events at several California landfills have put into question the test data and/or waste classification process relied upon by owners and operators of waste management units to accept wastes or alternate daily cover materials for discharge at their facilities. In one case, analytical data from the Waste Extraction Test (WET) performed with deionized water as the extractant (DI-WET) were used to classify a waste stream as non-hazardous. When samples of the waste were subjected to the correct version of the WET (using citric acid as the extractant), it became clear that the waste had been improperly tested initially and may have been inappropriately accepted for discharge to a landfill that was not permitted to accept hazardous waste. As a result, the owner and operator of that landfill may face significant enforcement proceedings and expensive corrective action measures. In reviewing this case, staff of the Central Valley Regional Water Board are concerned that operators of other Class II, Class III and unclassified waste management units may also use the DI-WET to classify wastes or alternate daily cover materials as non-hazardous waste.

The purpose of this letter is to advise you regarding the appropriate use of the WET in classifying wastes for discharge to land for treatment, storage or disposal in California. According to regulations adopted by the Department of Toxic Substances Control in Title 22, California Code of Regulations, Division 4.5, Chapter 11, Appendix II, there is only one approved version of the WET for use in classifying a waste as hazardous or non-hazardous.¹ For all constituents of concern except hexavalent chromium, the WET utilizes dilute citric acid as the extraction fluid. Data from the DI-WET procedure may not be utilized for hazardous/non-hazardous waste determinations except when evaluating hexavalent chromium.

Pursuant to regulations adopted by the State Water Resources Control Board pursuant to the California Water Code, alternate daily cover materials must be classified in the same manner as wastes prior to being discharged to waste management units regulated by the Regional Water Boards.

¹ The WET procedure from Title 22 may be found on the internet at <http://www.calregs.com/Templates/CCR/Sectem.htm>. On that web page, type "Title 22" in the box next to "Enter title", type "66261.126" in the box next to "Enter section", type "WET" in the box next to "Search terms", then click the Search button.

For wastes and alternate daily cover materials which already have been determined not to be hazardous pursuant to Title 22 regulations, there may be situations in which the Regional Water Board may find DI-WET or other modified WET data to be useful in determining whether a waste should be classified as a designated waste pursuant to California Water Code §13173. For additional information on the use of the DI-WET for this purpose, please refer to our internet web site at

http://www.swrcb.ca.gov/rwqcb5/available_documents/index.html#desig

or contact the staff of the Regional Water Board.

Questions regarding the above information may be directed to Dr. Jon Marshack of the Program Support Unit in our Sacramento office at (916) 464-4723 or by email at MarshaJ@rb5s.swrcb.ca.gov.

<original signed by Steve Rosenbaum for>

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